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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/254,242	03/02/1999	GERHARD NIEDERMAIR	P990100	6701

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EXAMINER

OPSASNICK, MICHAEL N

ART UNIT PAPER NUMBER

2655

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/254,242	Applicant(s) NIEDERMAIR ET AL.	
	Examiner Michael N. Opsasnick	Art Unit 2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

By

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 11-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Vysotsky et al (5719921).

As per claim 11, Vysotsky et al (5719921) teaches:

“A speech processing system comprising:....different types of speech output” as containing multiple speech recognizer arrays (Fig. 1, subblocks 126,128), each speech recognizer array containing parallel voice recognition units (Fig. 2a, subblock 204,206, 208) and DTMF recognizer (Fig. 2a, subblock 202); wherein the voice recognition units perform differing parallel recognition functions (as detailed in Fig. 2b);

“a selector.....is routed” as the initial arbitration is the selector (Fig. 4, subblock 40), deciding whether or not to use speaker dependent or speaker independent information, prompting for more input, plus voice verification (fig. 4, subblock 406; col. 9 line 59 – col. 10 line 65).

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As per claim 12, Vysotsky et al (5719921) teaches:

“a speech processing system as claimed in claim 11,routed” as routing a c2+n1 condition to a Y/N decision; or a C1 condition to the feature activation; or N1 candidate (Fig. 4).

As per claim 13, Vysotsky et al (5719921) teaches:

“a speech processing system as claimed in claim 11 wherein a group of speech recognition module.....pre-processing module” as pre-processing speech module (Fig. 4, subblock 402).

As per claim 14, Vysotsky et al (5719921) teaches:

“a speech processing system as claimed in claim 11....module” as multiple post-processing (Y/N decision, fig. 4, subblock 418; second post processing arbitration, fig. 4, subblock c1; or voice verification post processing, fig. 4, subblock 416,428).

As per claims 15,16, Vysotsky et al (5719921) teaches:

“a speech processing system.....and a user” as controlling a prompt for additional speech input (Fig. 4, subblock 420,422,423,408,410).

As per claim 17, Vysotsky et al (5719921) teaches:

“a speech processing as claimed in claim 11 wherein said plurality.....DTMF recognition” as using various speech recognition capabilities, such as dependent words (col. 2 lines 5-12, col. 2 lines 39-44); speaker independent words and phrases (col. 2 lines

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31-37), DTMF tone detections (col. 2 lines 25-30); and performing speech commands (col. 6 lines 34-66).

As per claim 18, Vysotsky et al (5719921) teaches:

“a speech processing system.....tones” as the speech arbitration of Fig. 4, subblock 406 determines differing types of output, as example – fig. 4, subblock 424 determines that the call was completed (or completed dialing), Fig. 4, subblock 426 deals with feature activation (command recognition, as shown in col. 6 lines 45-65, which induces DTMF output – the ‘repeated dialing’ feature), and a voice verification process (fig. 4, subblock 416).

Claims 19-21 are method claims whose step are performed in the apparatus claims of claims 11-18; these method claims are similar in scope and content compared to the apparatus claims of 11-18, and are therefore rejected under the same rationale as presented against claims 11-18.

Response to Arguments

3. Applicant's arguments with respect to claims 11-21 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

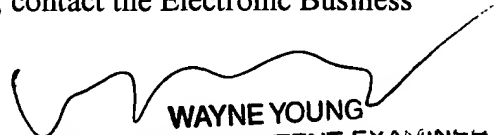
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Wayne Young, can be reached at (571)272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

mno
1/26/05